
By: **Delegates Gutierrez, Patterson, Howard, Ramirez, Anderson, Barkley, Benson, Bobo, Bronrott, Brown, Carter, Conroy, Cryor, Feldman, Franchot, Gaines, Goldwater, Gordon, Griffith, Haynes, Heller, Hixson, Holmes, Hubbard, Hurson, Jones, Kaiser, Kelley, King, Lee, Madaleno, Mandel, Marriott, McIntosh, Menes, Montgomery, Murray, Nathan-Pulliam, Niemann, Paige, Petzold, Quinter, Rosenberg, Simmons, Taylor, V. Turner, Vallario, and Vaughn**

Introduced and read first time: February 13, 2004
Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education - Closing the Gap School Recognition Awards**

3 FOR the purpose of establishing the Closing the Gap School Recognition Awards
4 program to recognize primary and secondary schools which have made
5 significant efforts in reducing certain achievement gaps for certain students;
6 requiring the Governor to include a certain amount of certain funds in the
7 annual State budget under certain circumstances to fund the awards program;
8 requiring the State Superintendent to distribute award funds to certain schools
9 under certain circumstances; requiring the State Superintendent to establish
10 certain guidelines for determining the eligibility for and distribution of award
11 funds; requiring the State Department of Education to annually determine and
12 report to the General Assembly, State Board, and county boards the primary and
13 secondary schools that have made gains in reducing certain achievement gaps
14 for certain students; requiring certain recipient schools to determine how award
15 funds shall be used to further reduce achievement gaps subject to certain
16 limitations; requiring the principal of a recipient school to file a certain report
17 with the county superintendent; requiring the county superintendent to file a
18 certain report with the county board, the State Superintendent, and the State
19 Board; repealing a certain provision of law establishing certain school
20 performance recognition awards; defining certain terms; and generally relating
21 to establishing the Closing the Gap School Recognition Awards program.

22 BY repealing
23 Article - Education
24 Section 5-211
25 Annotated Code of Maryland
26 (2001 Replacement Volume and 2003 Supplement)

27 BY adding to

1 Article - Education
2 Section 5-211
3 Annotated Code of Maryland
4 (2001 Replacement Volume and 2003 Supplement)

5 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
6 MARYLAND, That Section(s) 5-211 of Article - Education of the Annotated Code of
7 Maryland be repealed.

8 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
9 read as follows:

10 **Article - Education**

11 5-211.

12 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
13 INDICATED.

14 (2) "AWARD" MEANS A CLOSING THE GAP SCHOOL RECOGNITION AWARD.

15 (3) "NCLB ACT" MEANS THE FEDERAL NO CHILD LEFT BEHIND ACT.

16 (4) "RECIPIENT SCHOOL" MEANS A PUBLIC SCHOOL THAT RECEIVES AN
17 AWARD UNDER THIS SECTION.

18 (B) (1) IT IS THE INTENT OF THIS SECTION TO RECOGNIZE INDIVIDUAL
19 SCHOOLS WHICH HAVE MADE SIGNIFICANT EFFORTS IN REDUCING THE
20 ACHIEVEMENT GAPS FOR AFRICAN AMERICAN AND LATINO STUDENTS IN STATE
21 SCHOOLS AS DEMONSTRATED BY DATA REPORTED TO THE DEPARTMENT IN
22 ACCORDANCE WITH THE FEDERAL NCLB ACT.

23 (2) INDIVIDUAL SCHOOLS MAY BE RECOGNIZED THROUGH RECEIPT OF
24 "CLOSING THE GAP SCHOOL RECOGNITION AWARDS".

25 (C) THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET SUBMISSION
26 FOR FISCAL YEAR 2006 AND EACH YEAR THEREAFTER \$2,750,000 FOR AWARDS TO BE
27 FUNDED FROM THE STATE-LEVEL RESERVE ALLOCATIONS FOR SCHOOL
28 IMPROVEMENT ACTIVITIES SPECIFIED BY THE FEDERAL TITLE I GRANTS TO LOCAL
29 EDUCATION AGENCIES.

30 (D) THE STATE SUPERINTENDENT ANNUALLY SHALL DISTRIBUTE AWARDS TO
31 ELEMENTARY AND SECONDARY SCHOOLS THAT SHOW SUBSTANTIAL IMPROVEMENT
32 IN REDUCING ACHIEVEMENT GAPS BASED ON RELEVANT INDICATORS SPECIFIED IN
33 THE NCLB ACT.

34 (E) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE STATE
35 SUPERINTENDENT SHALL ESTABLISH GUIDELINES FOR DETERMINING ELIGIBILITY
36 FOR AND DISTRIBUTION OF AWARDS UNDER SUBSECTION (D) OF THIS SECTION.

1 (2) (I) THE DEPARTMENT SHALL ANNUALLY DETERMINE AND REPORT
2 TO THE GENERAL ASSEMBLY, STATE BOARD, AND COUNTY BOARDS THOSE PRIMARY
3 AND SECONDARY SCHOOLS THAT HAVE MADE THE HIGHEST GAINS IN REDUCING
4 ACHIEVEMENT GAPS FOR AFRICAN AMERICAN AND LATINO STUDENTS IN STATE
5 PUBLIC SCHOOLS.

6 (II) THE AWARD CRITERIA SHOULD BE BASED ON THE MANDATED
7 DISAGGREGATED ACHIEVEMENT GAP INDICATORS IN ACCORDANCE WITH THE NCLB
8 ACT, INCLUDING, BUT NOT LIMITED TO:

9 1. REDUCED GAPS OR SIGNIFICANT GAINS TOWARD ZERO
10 GAP IN ELEMENTARY SCHOOL READING AND MATH ASSESSMENTS BY THE THIRD
11 GRADE;

12 2. REDUCED GAP IN THE NUMBER OF AFRICAN AMERICAN
13 AND LATINO MIDDLE SCHOOL STUDENTS PARTICIPATING IN PRE-ALGEBRA OR
14 ALGEBRA AND HONORS/ADVANCED COURSES;

15 3. REDUCED GAP IN THE NUMBER OF AFRICAN AMERICAN
16 AND LATINO HIGH SCHOOL STUDENTS PARTICIPATING IN HONORS AND ADVANCED
17 PLACEMENT COURSES; AND

18 4. SIGNIFICANT GAINS TOWARD ZERO GAP IN GRADUATION,
19 DROPOUT, AND SUSPENSION RATES AMONG ALL RACIAL AND ETHNIC HIGH SCHOOL
20 STUDENTS.

21 (F) (1) A RECIPIENT SCHOOL SHALL DETERMINE HOW THE AWARD SHALL
22 BE USED TO FURTHER REDUCTION OF ACHIEVEMENT GAPS SUBJECT TO THE
23 FOLLOWING CONDITIONS:

24 (I) AWARD FUNDS ARE IN ADDITION TO AND MAY NOT SUPPLANT
25 FEDERAL, STATE, AND LOCAL FUNDS REGULARLY APPROPRIATED FOR USE BY THE
26 SCHOOL;

27 (II) AWARD FUNDS MAY NOT BE USED FOR:

28 1. STAFF BONUSES;

29 2. DIFFERENTIAL PAY INCREASES; OR

30 3. TECHNOLOGY; AND

31 (III) AWARD FUNDS SHALL BE EXPENDED IN ACCORDANCE WITH
32 POLICIES AND PROCEDURES OF THE SCHOOL SYSTEM WHERE THE RECIPIENT
33 SCHOOL IS LOCATED.

34 (2) THE PRINCIPAL OF THE RECIPIENT SCHOOL SHALL FILE A REPORT
35 WITH THE COUNTY SUPERINTENDENT INDICATING THE AMOUNT AND USES OF THE
36 AWARD FUNDS BY THE RECIPIENT SCHOOL.

1 (3) THE COUNTY SUPERINTENDENT SHALL FILE A REPORT WITH THE
2 COUNTY BOARD, THE STATE SUPERINTENDENT, AND THE STATE BOARD INDICATING
3 THE AMOUNTS AND USES OF THE AWARD FUNDS BY EACH RECIPIENT SCHOOL IN
4 THE SCHOOL DISTRICT.

5 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2004.